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10/559,662	12/05/2005	Hiroyuki Nakamura	281248US6PCT	7209

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EXAMINER
LA BARR, EDWARD T

ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/559,662	NAKAMURA ET AL.
	Examiner	Art Unit	
	Edward T. La Barr	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *9-18* is/are pending in the application.

    4a) Of the above claim(s) ~~9-18~~ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *9-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    · Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

Response to Amendment

Applicant has cancelled Claims 1-8.

Specification

Applicant has amended the specification to remove implied phrases, in conformance with

MPEP § 608.01(b). Accordingly, this objection to the abstract is withdrawn.

Claim Rejections - 35 USC § 103

Claims 9, 11, 12, 13, 15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Saito et al. (US Pat. No. 6,421,504) in view of Alegria et al. (US PGPUB

2003/0098865).

Regarding Claim 9 (New):

Saito et al. disclose:

An electronic device/apparatus comprising:

an electronic device main body (see e.g. Saito Fig 1 No. 10) for performing an operation

(see e.g. Saito col. 6 lines 13-15 "A taking lens ... for guiding the optical image ... is provided in

the center of the front of the hybrid camera..."; and col. 9 lines 54-55 "A lens barrel driving part

... sticks a lens barrel to a shooting position");

a setup information retention section for retaining setup information that is to be reflected

in a behavior of the electronic device main body (see e.g. Saito col. 12 lines 37-40 "E_DSCAVw

is a fixed number within the range between 18 and 30, and E_DSCAVt is a value that varies

within the range between 0 and 15. The data of E_DSCAVw and E_DSCAVt is stored in the

EEPROM 178"; and Fig. 9 No. 178);

an operating control section for receiving commands from a user to specify the behavior

to be performed by the electronic device main body (see e.g. Saito col. 6 lines 27-29 "A shutter

release button (equivalent to a shooting start instructing member) ... for starting opening and

shutting a shutter at the shooting on the top of the hybrid camera" ; and Fig. 3 No. 30);

a display section having a display screen (see e.g. Saito col. 6 line 41-42 "a liquid crystal

monitor ... that displays an image" and Fig. 2 No. 40);

an image acquisition section for acquiring an image outside the electronic device main

body (See e.g. Saito Abstract and Figures. The main embodiment of the Saito reference is a

hybrid camera which acquires images outside its electronic device main body definitionally).

Saito et al. do not explicitly disclose:

a model data storage section for storing model data about the electronic device main

body;

However, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to create animations by storing and processing model data.

It was known to those having ordinary skill in the art at the time of invention that

processing model data has the advantage of reducing data requirements.

Saito et al. do not explicitly disclose:

animation display means for causing the display screen to display an instructional

animation indicating operating instructions for performing a desired behavior of the electronic

device main body in which the setup information retained in the setup information retention

section is reflected,

However, Alegria discloses creating and displaying customizable animated instructions

for using a device based on information stored within the device (See e.g. Alegria, Abstract and

paragraph [0023]). Therefore, Alegria teaches creation of an instructional animation indicating

operating instructions for performing a desired behavior of a device.

It would have been obvious to persons having ordinary skill in the art at the time of

invention to display an instructional animation indicating operating instructions for performing a

desired behavior of the electronic device main body in which the setup information retained in

the setup information retention section is reflected, and to create the animation by incorporating

image data acquired from the image acquisition section on an associated location in the display

section within the model data stored in the model data storage section.

It was known in the art at the time of invention that display of instructional animations

indicating operating instructions for performing a desired behavior of the electronic device main

body in which retained setup information is reflected can have the advantage of streamlining the

delivery of instructions to the user (See e.g. Alegria, paragraphs [0002] – [0004].)

Saito et al. do not explicitly disclose:

the animation display means creating the animation by incorporating image data acquired

from the image acquisition section on an associated location in the display section within the

model data stored in the model data storage section

However, Alegria discloses storing acquired data associated with the environment in a

database, and referencing the database in generating these instructions (See e.g. paragraphs

[0018] and [0021]. Therefore, Alegria teaches incorporation of acquired environmental data into

an animation. In the instant invention, an image is acquired environmental data which is

incorporated into the animation. Further, the incorporation of data on an associated location

within model data is well known in the art as the technique of texture mapping.

It would have been obvious to persons having ordinary skill in the art at the time of

invention to create an animation by incorporating image data acquired from the image

acquisition section on an associated location in the display section within the model data stored

in the model data storage section. It was known at the time of invention that incorporating

acquired information in creation of the animation can have the advantage of creating a

customized set of instructions for the user (See e.g. Alegria paragraph [0021].)

Regarding Claim 11 (New):

Saito et al. disclose:

the electronic device/apparatus according to claim 9, further comprising means for

manipulating the setup information in the setup information retention section. (see e.g. col. 8

lines 53-55 "...the upper right switch 54 and the lower right switch 56 are switches ... for

zooming toward the telephoto side."; col. 12 lines 26-28 "DSCAV indicates the aperture value

of the CCD, and it is calculated from the CCD aperture ... and the zoom position."; col 12 lines

30-35 "DSCAV = E_DSCAVw + E_DSCZV ... [or] ... DSCAV = E_DSCAVt+E_DSCZV";

col 12 lines 37-39 "...E_DSCAVw is a fixed number within the range between 18 and 30, and

E_DSCAVt is a value that varies within the range between 0 and 15. The data of E_DSCAVw

and E_DSCAVt is stored in the EEPROM ..."; Fig. 2 Nos. 54 and 56; and Fig. 9 Nos. 174 and

178).

It would have been obvious to persons having ordinary skill in the art at the time of

invention to manipulate the setup information in the information retention section. It was known

that manipulation of setup information can have the advantage of providing adjustability of

components under control (See e.g. Saito col. 8 lines 56-59 "zooming").

Regarding Claim 12 (New):

Alegria et al. disclose:

The electronic device/apparatus according to claim 9, wherein the animation display

means performs a process for changing the image data accordingly when the image acquired by

the image acquisition section changes.

As developed earlier, Alegria teaches the use of a database for storing environmental

information analogous to image data. Alegria discloses storing acquired data associated with the

environment in a database, and referencing the database in generating these instructions (See e.g.

paragraphs [0018] and [0021]. The animation generator references the database to generate

animated instructions. (See e.g. Alegria paragraph [0022]). After animation generation, the

method may idle and await further input (See e.g. Alegria paragraph [0033]). In this way, a

change in image data can result in generation of a new animation reflecting new environmental

information, i.e. the changed acquired image.

It would have been obvious to persons having ordinary skill in the art at the time of

invention to change the animation image data when the acquired data changes. It was known at

the time of invention that incorporating acquired information in creation of the animation can

have the advantage of creating a customized set of instructions for the user (See e.g. Alegria

paragraph [0021].)

Claim 13 (New):

Saito et al. disclose:

An electronic device/apparatus operating instructions display method for an electronic

device/apparatus that includes,

an electronic device main body (see e.g. Saito Fig 1 No. 10) for performing an operation

(see e.g. Saito col. 6 lines 13-15 "A taking lens ... for guiding the optical image ... is provided in

the center of the front of the hybrid camera..."; and col. 9 lines 54-55 "A lens barrel driving part

... sticks a lens barrel to a shooting position"),

a setup information retention section for retaining setup information that is to be reflected

in a behavior of the electronic device main body (see e.g. Saito col. 12 lines 37-40 "E_DSCAVw

is a fixed number within the range between 18 and 30, and E_DSCAVt is a value that varies

within the range between 0 and 15. The data of E_DSCAVw and E_DSCAVt is stored in the

EEPROM 178"; and Fig. 9 No. 178),

an operating control section for receiving commands from a user to specify the behavior

to be performed by the electronic device main body (see e.g. Saito col. 6 lines 27-29 "A shutter

release button (equivalent to a shooting start instructing member) ... for starting opening and

shutting a shutter at the shooting on the top of the hybrid camera" ; and Fig. 3 No. 30),

a display section having a display screen (see e.g. Saito col. 6 line 41-42 "a liquid crystal

monitor ... that displays an image" and Fig. 2 No. 40),

an image acquisition section for acquiring an image outside the electronic device main

body (See e.g. Saito Abstract and Figures. The main embodiment of the Saito reference is a

hybrid camera which acquires images outside its electronic device main body definitionally).,

Saito et al. do not explicitly disclose:

a model data storage section for storing model data about the electronic device main

body,

However, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to create animations by storing and processing model data. It was

known to those having ordinary skill in the art at the time of invention that processing model

data has the advantage of reducing data requirements.

Saito et al. do not explicitly disclose:

the operating instructions display method comprising:

receiving a command for operating instructions on performing a desired behavior; and

creating an instructiorial animation indicating operating instructions for performing the desired

behavior of the electronic device main body in which the setup information retained in the setup

information retention section is reflected.

However, Alegria discloses creating and displaying customizable animated instructions

for using a device based on information stored within the device (See e.g. Alegria, Abstract and

paragraph [0023]). Therefore, Alegria teaches creation of an instructional animation indicating

operating instructions for performing a desired behavior of a device.

It would have been obvious to persons having ordinary skill in the art at the time of

invention to display an instructional animation indicating operating instructions for performing a

desired behavior of the electronic device main body in which the setup information retained in

the setup information retention section is reflected, and to create the animation by incorporating

image data acquired from the image acquisition section on an associated location in the display section within the model data stored in the model data storage section.

It was known in the art at the time of invention that display of instructional animations indicating operating instructions for performing a desired behavior of the electronic device main body in which retained setup information is reflected can have the advantage of streamlining the delivery of instructions to the user (See e.g. Alegria, paragraphs [0002] – [0004].)

Saito et al. do not explicitly disclose:

causing the display screen to display the instructional animation, the animation created by incorporating image data acquired from the image acquisition section into an associated location in the display section within the model data stored in the model data storage section.

However, Alegria discloses storing acquired data associated with the environment in a database, and referencing the database in generating these instructions (See e.g. paragraphs [0018] and [0021]. Therefore, Alegria teaches incorporation of acquired environmental data into an animation. In the instant invention, an image is acquired environmental data which is incorporated into the animation. Further, the incorporation of data on an associated location within model data is well known in the art as the technique of texture mapping.

It would have been obvious to persons having ordinary skill in the art at the time of invention to create an animation by incorporating image data acquired from the image acquisition section on an associated location in the display section within the model data stored in the model data storage section. It was known at the time of invention that incorporating acquired information in creation of the animation can have the advantage of creating a customized set of instructions for the user (See e.g. Alegria paragraph [0021].)

Claim 15 (New):

An electronic device/apparatus comprising:

an electronic device main body (see e.g. Saito Fig. 1 No. 10) configured to behave in

accordance with an operation (see e.g. Saito col. 6 lines 13-15 "A taking lens ... for guiding the

optical image ... is provided in the center of the front of the hybrid camera..."; and col. 9 lines

54-55 "A lens barrel driving part ... sticks a lens barrel to a shooting position");

a setup information retention unit configured to retain setup information that is to be

reflected in a behavior of the electronic device main body (see e.g. Saito col. 12 lines 37-40

"E_DSCAVw is a fixed number within the range between 18 and 30, and E_DSCAVt is a value

that varies within the range between 0 and 15. The data of E_DSCAVw and E_DSCAVt is

stored in the EEPROM 178"; and Fig. 9 No. 178);

an operating control unit configured to receive commands from a user to specify the

behavior to be performed by the electronic device main body (equivalent to a shooting start

instructing member) ... for starting opening and shutting a shutter at the shooting on the top of

the hybrid camera" ; and Fig. 3 No. 30);

a display section having a display screen (see e.g. Saito col. 6 line 41-42 "a liquid crystal

monitor ... that displays an image" and Fig. 2 No. 40);

an image acquisition unit configured to acquire an image outside the electronic device

main body an image acquisition section for acquiring an image outside the electronic device

main body (See e.g. Saito Abstract and Figures. The main embodiment of the Saito reference is

a hybrid camera which acquires images outside its electronic device main body definitionally).

Saito et al. do not explicitly disclose:

a model data storage unit configured to store model data about the electronic device main

body.

However, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to create animations by storing and processing model data. It was

known to those having ordinary skill in the art at the time of invention that processing model

data has the advantage of reducing data requirements.

Saito et al. do not explicitly disclose:

an animation display unit configured to cause the display screen to display an

instructional animation indicating operating instructions for performing a desired behavior of the

electronic device main body in which the setup information retained in the setup information

retention unit is reflected,

However, Alegria discloses creating and displaying customizable animated instructions

for using a device based on information stored within the device (See e.g. Alegria, Abstract and

paragraph [0023]). Therefore, Alegria teaches creation of an instructional animation indicating

operating instructions for performing a desired behavior of a device.

It would have been obvious to persons having ordinary skill in the art at the time of

invention to display an instructional animation indicating operating instructions for performing a

desired behavior of the electronic device main body in which the setup information retained in

the setup information retention section is reflected, and to create the animation by incorporating

image data acquired from the image acquisition section on an associated location in the display

section within the model data stored in the model data storage section.

It was known in the art at the time of invention that display of instructional animations indicating operating instructions for performing a desired behavior of the electronic device main body in which retained setup information is reflected can have the advantage of streamlining the delivery of instructions to the user (See e.g. Alegria, paragraphs [0002] – [0004].)

Saito et al. do not explicitly disclose:

the animation display unit configured to create the animation by performing a process for incorporating image data acquired from the image acquisition unit on an associated location in the display section within the model data stored in the model data storage unit.

the animation display means creating the animation by incorporating image data acquired from the image acquisition section on an associated location in the display section within the model data stored in the model data storage section

However, Alegria discloses storing acquired data associated with the environment in a database, and referencing the database in generating these instructions (See e.g. paragraphs [0018] and [0021]. Therefore, Alegria teaches incorporation of acquired environmental data into an animation. In the instant invention, an image is acquired environmental data which is incorporated into the animation. Further, the incorporation of data on an associated location within model data is well known in the art as the technique of texture mapping.

It would have been obvious to persons having ordinary skill in the art at the time of invention to create an animation by incorporating image data acquired from the image acquisition section on an associated location in the display section within the model data stored in the model data storage section. It was known at the time of invention that incorporating acquired information in creation of the animation can have the advantage of creating a

customized set of instructions for the user (See e.g. Alegria paragraph [0021].)

Claim 17 (New):

Saito et al. disclose the electronic device/apparatus according to claim 15, further comprising:

a manipulating unit configured to manipulate the setup information in the setup information retention unit (see e.g. col. 8 lines 53-55 "...the upper right switch 54 and the lower right switch 56 are switches ... for zooming toward the telephoto side."; col. 12 lines 26-28 "DSCAV indicates the aperture value of the CCD, and it is calculated from the CCD aperture ... and the zoom position."; col 12 lines 30-35 "DSCAV = E_DSCAVw + E_DSCZV ... [or] ... DSCAV = E_DSCAVt+E_DSCZV" ; col 12 lines 37-39 "...E_DSCAVw is a fixed number within the range between 18 and 30, and E_DSCAVt is a value that varies within the range between 0 and 15. The data of E_DSCAVw and E_DSCAVt is stored in the EEPROM ..."; Fig. 2 Nos. 54 and 56; and Fig. 9 Nos. 174 and 178).

It would have been obvious to persons having ordinary skill in the art at the time of invention to manipulate the setup information in the information retention section. It was known that manipulation of setup information can have the advantage of providing adjustability of components under control (See e.g. Saito col. 8 lines 56-59 "zooming").

Claim 18 (New):

The electronic device/apparatus according to claim 15, wherein the animation display

unit is configured to perform a process for changing the image data accordingly when the image

acquired by the image acquisition unit changes.

As developed earlier, Alegria teaches the use of a database for storing environmental

information analogous to image data. Alegria discloses storing acquired data associated with the

environment in a database, and referencing the database in generating these instructions (See e.g.

paragraphs [0018] and [0021]. The animation generator references the database to generate

animated instructions. (See e.g. Alegria paragraph [0022]). After animation generation, the

method may idle and await further input (See e.g. Alegria paragraph [0033]). In this way, a

change in image data can result in generation of a new animation reflecting new environmental

information, i.e. the changed acquired image.

It would have been obvious to persons having ordinary skill in the art at the time of

invention to change the animation image data when the acquired data changes. It was known at

the time of invention that incorporating acquired information in creation of the animation can

have the advantage of creating a customized set of instructions for the user (See e.g. Alegria

paragraph [0021].)

Claims 10, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Saito et al. (US Pat. No. 6,421,504), Alegria et al. (US PGPUB 2003/0098865) and further in

view of Ogata et al. (US Pat. No. 6,409,601).

Regarding Claim 10 (New):

Saito et al. (US Pat. No. 6,421,504 B1) and Ikeda (U.S. PGPUB No. 2002/0105582) do

not explicitly disclose the electronic device/apparatus according to claim 9, wherein the

animation display means processes the model data stored in the model data storage section and

causes the display screen to display a second animation, which indicates an operating control that

can recall an animation for indicating a behavior of the electronic device main body.

However, Ogata et al. (U.S. Pat No. 6,409,601) discloses a means for indicating an

operating control that can recall an animation indicating a motion of the electronic device main

body (see col. 11 lines 1-40 "The CPU 82 displays an image asking the game player to select ...

an operating guide on the display monitor 6 in step S2 ... If operating guidance has been selected

... the CPU 82 displays an overall image (e.g., a plan view) of the manual control input device 2

on a display screen ... Then, ... controls the displayed control members ... to emit continuous or

flickering light on the display screen ..." ; Fig. 11, esp No. S2; Fig 12 and 13).

It would have been obvious to one having ordinary skill in the art at the time of invention

to indicate an operating control capable of recalling an animation for indicating a motion of the

electronic device main body. It was known that "An entertainment system which is supplied

with the operating guidance program and data allows the user to visually recognize the operating

guide and to proceed..." (See e.g. Ogata et al. col. 2 lines 37-39).

Claim 14 (New):

The electronic device/apparatus operating instructions display method according to claim

13, wherein the stored model data is processed to cause the display screen to display a second

animation, which indicates an operating control that can recall an animation for indicating a behavior of the electronic device main body.

However, Ogata et al. (U.S. Pat No. 6,409,601) discloses a means for indicating an operating control that can recall an animation indicating a motion of the electronic device main body (see col. 11 lines 1-40 "The CPU 82 displays an image asking the game player to select ... an operating guide on the display monitor 6 in step S2 ... If operating guidance has been selected ... the CPU 82 displays an overall image (e.g., a plan view) of the manual control input device 2 on a display screen ... Then, ... controls the displayed control members ... to emit continuous or flickering light on the display screen ..." ; Fig. 11, esp No. S2; Fig 12 and 13).

It would have been obvious to one having ordinary skill in the art at the time of invention to indicate an operating control capable of recalling an animation for indicating a motion of the electronic device main body. It was known that "An entertainment system which is supplied with the operating guidance program and data allows the user to visually recognize the operating guide and to proceed..." (See e.g. Ogata et al. col. 2 lines 37-39).

Claim 16 (New):

The electronic device/apparatus according to claim 15, wherein the animation display unit is configured to process the model data stored in the model data storage unit and to cause the display screen to display a second animation, which indicates an operating control that can recall an animation for indicating a behavior of the electronic device main body.

However, Ogata et al. (U.S. Pat No. 6,409,601) discloses a means for indicating an operating control that can recall an animation indicating a motion of the electronic device main

body (see col. 11 lines 1-40 "The CPU 82 displays an image asking the game player to select ...

an operating guide on the display monitor 6 in step S2 ... If operating guidance has been selected

... the CPU 82 displays an overall image (e.g., a plan view) of the manual control input device 2

on a display screen ... Then, ... controls the displayed control members ... to emit continuous or

flickering light on the display screen ..." ; Fig. 11, esp No. S2; Fig 12 and 13).

It would have been obvious to one having ordinary skill in the art at the time of invention

to indicate an operating control capable of recalling an animation for indicating a motion of the

electronic device main body. It was known that "An entertainment system which is supplied

with the operating guidance program and data allows the user to visually recognize the operating

guide and to proceed..." (See e.g. Ogata et al. col. 2 lines 37-39).

Response to Arguments

Applicant's arguments with respect to claims 9-18 have been considered but are moot in

view of the new ground(s) of rejection necessitated by Applicant's Amendment.

Regarding New Claims 9-12:

Applicant argues that the following references cited in the first action do not read on the

following limitation of new Claim 9 or its dependent claims:

> Saito does not teach or suggest "animation display means" as defined in new
>
> Claim 9.

Ikeda does not teach or suggest "animation display means" as defined in new

Claim 9.

U.S. Patent Nos. 6,583,793 and 5,898,438 also do not teach or suggest "animation

display means" as defined in Claim 9.

Consequently, new Claim 9 (and claims 10-12 dependent therefrom) is patentable

over Saito in view of Ikeda.

The Examiner has cited a separate reference with respect to this limitation as developed

more fully in the above rejection of New Claim 9, therefore these arguments are moot.

Regarding New Claims 13 and 14:

The Examiner presumes for purposes of this action that Applicant's reference to Claim 1

in this argument was intended to refer to Applicant's arguments regarding new Claim 9.

Applicant argues that the following references cited in the first action do not read on the

following limitation of new Claim 13 or its dependent claim:

Neither Saito nor Ikeda teach or suggest "creating an instructional animation" as

defined in new Claim 13.

Consequently, new Claim 13 (and Claim 14 dependent therefrom) is also

patentable over Saito in view of Ikeda.

The Examiner has cited a separate reference with respect to this limitation as developed

more fully in the above rejection of New Claim 13, therefore these arguments are moot.

Regarding New Claims 15-18:

Applicant argues that the following references cited in the first action do not read on the following limitation of new Claim 15 or its dependent claims:

> Neither Saito nor Ikeda teach or suggest "an animation display unit" as defined in new Claim 15.

> Consequently, new Claim 15 (and Claims 16-18 dependent therefrom) is patentable over the cited references.

The Examiner has cited a separate reference with respect to this limitation as developed more fully in the above rejection of New Claim 15, therefore these arguments are moot.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Pat. No. 5,982,378 Kato, Saul teaches texture mapping;

US PGPUB No. 2002/0171746 Stephany et al. teach an image capture device where an animation model is generated using the captured image;

US Pat. No. 6,583,793 Gould et al. teach mapping images onto 3D objects;

US Pat. No. 5,898,438 Stewart et al. teach mapping a two-dimensional image of a physical object onto a computer generated three dimensional surface defined by a plurality of surface points.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward T. La Barr whose telephone number is (571) 270-3237. The examiner can normally be reached on Monday-Friday, 9:00 a.m - 5:00 p.m., Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xiao M. Wu can be reached on (571) 272-7761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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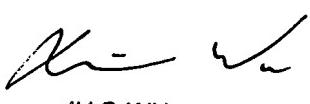
XIAO WU
SUPERVISORY PATENT EXAMINER